United Nations CRC/C/OPSC/TJK/Q/1

Convention on the Rights of the Child

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Committee on the Rights of the Child
Seventy-sixth session
11-29 September 2017
Item 4 of the provisional agenda
Consideration of reports of States parties

List of issues in relation to the report submitted by Tajikistan under article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 16 June 2017. The Committee may take up all aspects of children's rights set out in the Optional Protocol during the dialogue with the State party.

1. Please inform the Committee of whether the national courts have invoked the rights contained in the Optional Protocol and please clarify if all the forms of sale of children covered by articles 2 (a) and 3 (1) (a) (i), (b) and (c) of the Optional Protocol have been explicitly defined and criminalized with penalties proportionate to the gravity of the crimes.

2. With reference to the State party report (see CRC/C/OPSC/TJK/1, para. 23), please clarify how effective coordination for implementing the Optional Protocol is ensured among the numerous government departments and agencies that are responsible for various laws, policies and programmes. Please provide information on the efforts made to establish a centralized system for the collection of data covering all offences under the Optional Protocol.

3. Please provide statistical data disaggregated by sex, age, nationality, socioeconomic background and urban or rural location, for the past three years, on the number of reported cases of violations of the Optional Protocol and on the number of child victims of any of the offences covered by the Optional Protocol who have received physical or psychosocial assistance or compensation. Please also provide statistical data on the number of children who have been trafficked from, to or through the State party and of children who have been trafficked within the country.

4. Please provide information on the measures taken to prevent children in vulnerable situations, such as children deprived of a family environment, children in street situations, refugee and asylum-seeking children, children who abuse drugs and working children, from becoming victims of offences under the Optional Protocol. Please also provide information on the efforts made to ensure access to justice to all child victims of the offences covered by the Optional Protocol.

5. Please inform the Committee of the measures taken to raise awareness of and implement legislation against child marriage and to eliminate the practice of girls marrying below the age of 18 years through religious *nikoh* marriages, which might amount to the sale of children.

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6. Please provide information on the measures taken to prevent the sale of children, child prostitution and child pornography, especially when caused by high levels of poverty in the country and the mass labour migration of men abroad, which leaves children in vulnerable situations.

7. Please provide information on the impact and implementation of the 2014 law on countering trafficking in persons and providing support to victims of such trafficking and the measures taken to protect children who have been trafficked abroad. Please explain the steps that have been taken to ensure that all cases of trafficking in children are investigated and that offenders are prosecuted and given appropriate sentences.

8. Please provide further information on the measures taken to protect the rights and interests of child victims and witnesses of crimes under the Optional Protocol at all stages of criminal proceedings. Please also indicate what measures have been taken to ensure that child victims of offences under the Optional Protocol are treated as victims in need of recovery, reintegration and compensation and not treated as criminals.

9. Please clarify whether the legislation of the State party establishes extraterritorial jurisdiction over all the offences under the Optional Protocol. Please also indicate whether the Optional Protocol can be used as a basis for extradition in the absence of a bilateral extradition agreement.